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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Michael E. Moseley et al.	Examiner: J. Lin	
Serial No.:	09/606,137	Group Art Unit: 3737	
Filed:	June 28, 2000	Docket: 500.003US1	
Title:	IMAGING METHODS FOR VISUALIZING IMPLANTED LIVING CELLS		

AMENDMENT TO FIRST OFFICE ACTION UNDER 37 CFR 1.115

Box AMENDMENT
Assistant Commissioner for Patents
Washington, D.C. 20231

This Amendment is being filed in response to the Office Action mailed on October 3, 2001. The excess claim fee and any fees for extension of time are to paid by debiting Deposit Account Number 50-1391.

IN THE CLAIMS

PLEASE AMEND THE CLAIMS AS FOLLOWS, WITH A CLEAN COPY OIF AMENDED CLAIMS BEING PROVIDED AS AN APPENDIX IN THIS OFFICE ACTION:

1. (AMENDED) A method for indicating viability of implanted stem cells, progenitor cells, or differentiated cells, [cells] the method being performed with a medical device that supports at least one sensing function, the method comprising:

non-destructively observing a region of a patient to where stem cells, progenitor cells, or differentiated cells have been implanted;

sensing a property within said region of a patient that is indicative of cell viability or lack of viability of implanted stem cells, progenitor cells, or differentiated cells ; and

using data from sensing said property within said region to indicate cell viability from an implant of stem cells, progenitor cells, or differentiated cells [with] within the